

PROB 12C  
(6/16)

Report Date: July 27, 2016

**United States District Court**

for the

**Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JUL 28 2016

SEAN F. McAVOY, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

Name of Offender: Christopher Michael Oak      Case Number: 0980 2:06CR06027-LRS-1

Address of Offender:      Pasco, Washington 99301

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: January 4, 2007

Original Offense:      Ct. 2: Distribution of a Controlled Substance - Methamphetamine, 21 U.S.C. § 841(a)(1);  
Ct. 3: Distribution of a Controlled Substance - Methamphetamine, 21 U.S.C. § 841(a)(1);

Original Sentence:      Prison 120 months; TSR - 96      Type of Supervision: Supervised Release months

Asst. U.S. Attorney: James P. Hagarty      Date Supervision Commenced: May 4, 2016

Defense Attorney:      Federal Defender      Date Supervision Expires: May 3, 2024

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**PETITIONING THE COURT****To issue a summons.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance

- 1      **Special Condition # 17:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

**Supporting Evidence:** Christopher Oak is considered in violation of his conditions of supervised release by failing to undergo a substance abuse evaluation.

Mr. Oak commenced his term of supervised released on May 4, 2016. On May 5, 2016, he met with the undersigned officer and was directed to obtain a substance abuse evaluation. During a phone conversation with Mr. Oak on May 6, 2016, he acknowledged that he had set up a substance abuse evaluation with First Step Community Counseling Services for May 11, 2016. According to First Step, Mr. Oak called to reschedule his evaluation until May 23, 2016. Mr. Oak did not show up for his scheduled assessment on May 23, 2016. The undersigned officer has attempted to get Mr. Oak to reschedule his assessment, but as of this date, Mr. Oak has failed to undergo a substance abuse evaluation.

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- 2      **Special Condition # 18:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Oak is considered in violation of his conditions of supervised release by using a controlled substance, cocaine, on or about May 5, 2016.

Mr. Oak's term of supervised release commenced on May 4, 2016. He reported to the United States Probation Office on May 5, 2016, and was asked to provide a urinalysis sample. This sample tested presumptively positive for cocaine and was sent to the lab for testing. Mr. Oak admitted to using cocaine the night of his release. Mr. Oak also signed a drug use admission form on May 6, 2016. Confirmation from Alere Laboratories was received on May 8, 2016, confirming the sample in question was positive for cocaine.

- 3      **Special Condition # 18:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Oak is considered in violation of his conditions of supervised release by failing to submit to urinalysis testing as directed.

Mr. Oak was placed on the phase urinalysis testing program at First Step Community Counseling Services on May 5, 2016. Mr. Oak has missed providing urine samples on the following dates: May 31, 2016; June 29, 2016; July 13 and 26, 2016.

- 4      **Standard Condition # 3:** You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

**Supporting Evidence:** Mr. Oak is considered in violation of his conditions of supervised release by failing to make a payment towards his Special Penalty Assessment.

Mr. Oak's term of supervised release commenced on May 4, 2016. He reported to the United States Probation Office on May 5, 2016, and signed a Fine/Assessment/Restitution Agreement form, in which he agreed to make a payment of at least \$25.00 per month by the 15<sup>th</sup> day of each month until the Special Penalty Assessment was paid in full. Records show that Mr. Oak has failed to make a payment towards his Special Penalty Assessment since he has been on supervision.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 07/27/2016

s/Daniel M. Manning

Daniel M. Manning  
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

7/28/16  
\_\_\_\_\_  
Date